

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

FILED

U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

APR 12 2013

HITACHI CONSUMER ELECTRONICS CO.,
LTD., and HITACHI ADVANCED DIGITAL,
INC.

Plaintiffs,

v.

TOP VICTORY ELECTRONICS (TAIWAN)
CO. LTD., *et al.*,

Defendants.

DAVID J. MALAND, CLERK
BY
DEPUTY BA

CIVIL ACTION NO. 2:10-CV-260-JRG

JURY

VERDICT FORM

In answering the following questions, you are to follow all of the instructions I have
given you in the Court's charge.

Question No. 1

Did Hitachi prove by a preponderance of the evidence that TPV infringed any of the claims of the Hitachi patents identified below?

Answer “Yes” or “No” for each claim.

‘310 Patent

Claim 7 no

‘375 Patent

Claim 26 no

Claim 30 no

‘497 Patent

Claim 15 no

Claim 16 no

‘243 Patent

Claim 4 no

Claim 5 no

Please go on to Question No. 2.

n/a

Question No. 2

ANSWER QUESTION NO. 2 ONLY IF YOU ANSWERED "YES" FOR ANY OF THE CLAIMS IN QUESTION 1. OTHERWISE, DO NOT ANSWER QUESTION NO. 2.

If You found that TPV infringed one or more claims of a patent, did Hitachi prove by clear and convincing evidence that TPV's infringement of that patent was willful?

Answer "Yes" or "No" for each patent.

'310 Patent	<u>n/a</u>
'497 Patent	<u>n/a</u>
'243 Patent	<u>n/a</u>

Please go on to Question No. 3.

Question No. 3

For each asserted claim of the patents-in-suit, did TPV prove by clear and convincing evidence that such claim is invalid?

Check the first column indicated as “valid” or check the second column indicated as “invalid,” depending on your answer to Question Number 3.

	VALID	INVALID
‘310 Patent		
Claim 7	<input type="checkbox"/>	<input checked="" type="checkbox"/>
‘375 Patent		
Claim 26	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Claim 30	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Please go on to Question No. 4.

Question No. 4

ANSWER QUESTION NO. 4 ONLY IF YOU HAVE FOUND AT LEAST ONE PATENT CLAIM LISTED IN QUESTION 1 INFRINGED AND NOT INVALID. OTHERWISE DO NOT ANSWER QUESTION 4.

What sum of money, if paid now in cash, do you find from a preponderance of the evidence would fairly and reasonably compensate Hitachi for TPV's past infringement? Only award damages for those patents you find infringed and not invalid.

\$ 0.00

Signed this 24 day of April, 2013.